

09/202791#4a

300 Rec'd PCT/PTO 22 DEC 1998

PATENT


Docket No. 350292000500

CERTIFICATE OF MAILING BY "EXPRESS MAIL"

Express Mail Label No.: EJ004415017US

Date of Deposit: December 21, 1998

I hereby certify that this paper or fee is being deposited with the United States Postal Service "Express Mail Post Office to Addressee" service under 37 C.F.R. § 1.10 on the date indicated above and is addressed to: Assistant Commissioner for Patents, Washington, D.C. 20231.


Lisa R.F. Barber

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In the application of:

Kouji MATSUSHIMA et al

Serial No.: Unassigned

Filing Date: 22 December 1998

For: THERAPEUTIC AGENT FOR ACUTE
LUNG INJURY RESULTING FROM
INDIRECT CAUSES COMPRISING
ANTI-IL-8 ANTIBODIES ACTIVE
INGREDIENT

Examiner: Unassigned

Group Art Unit: Unassigned

PRELIMINARY AMENDMENT

Box PCT
Assistant Commissioner for Patents
Washington, D.C. 20231

Dear Sir:

Prior to examination of this application, please amend the claims as follows:

Claim 8, lines 1-2 change "any of claims 1 through 7" to --claim 1--.

Claim 9, lines 1-2 change "any of claims 1 through 8" to --claim 1--.

Claim 10, lines 1-2 change "any of claims 1 through 9" to --claim 1--.

Claim 11, lines 1-2 change "any of claims 1 through 10" to --claim 1--.

dc-141978

Claim ~~12~~, lines 1-2 change "any of claims 1 through 11" to --claim 1--.
Claim ~~13~~, lines 1-2 change "any of claims 1 through 12" to --claim 1--.
Claim ~~14~~, lines 1-2 change "any of claims 1 through 13" to --claim 1--.

a' 16. (Amended) [Use of anti-IL-8 antibody for] A process for the production of a therapeutic agent for treatment of acute lung injury resulting from indirect causes comprising mixing anti-IL-8 antibody with an pharmaceutical acceptable carrier.

Claim 17, line 1 Change "Use" to --A process--.
Claim 18, line 1 Change "Use" to --A process--.
Claim 19, line 1 Change "Use" to --A process--.
Claim 20, line 1 Change "Use" to --A process--.
Claim 21, line 1 Change "Use" to --A process--.
Claim 22, line 1 Change "Use" to --A process--.

22 23. (Amended) [Use] A process according to [any of claims 16 through 22] claim 16, in which the anti-IL-8 antibody is a monoclonal antibody.

23 24. (Amended) [Use] A process according to [any of claims 16 through 23] claim 16, in which the anti-IL-8 antibody is an antibody against mammalian IL-8.

25. (Amended) [Use] A process according to [any of claims 16 through 24] claim 16, in which the anti-IL-8 antibody is an antibody against human IL-8.

26. (Amended) [Use] A process according to [any of claims 16 through 25] claim 16, in which the anti-IL-8 antibody is WS-4 antibody.

27. (Amended) [Use] A process according to [any of claims 16 through 26] claim 16, in which the anti-IL-8 antibody has the constant region of human antibody.

28. (Amended) [Use] A process according to [any of claims 16 through 27] claim 16, in which the anti-IL-8 antibody is a humanized or chimeric antibody.

29. (Amended) [Use] A process according to [any of claims 16 through 28] claim 16, in which the anti-IL-8 antibody is a humanized WS-4 antibody.

Please cancel claim 30.

- | | | |
|----------------------|-----------|-------------------------------------------------------|
| Claim 38, | lines 1-2 | change "any of claims 31 through 37" to --claim 31--. |
| Claim 39, | lines 1-2 | change "any of claims 31 through 38" --claim 31--. |
| Claim 40, | lines 1-2 | change "any of claims 31 through 39" to --claim 31--. |
| Claim 41, | lines 1-2 | change "any of claims 31 through 40" to --claim 31--. |
| Claim 42, | lines 1-2 | change "any of claims 31 through 41" to --claim 31--. |
| Claim 43, | lines 1-2 | change "any of claims 31 through 42" to --claim 31--. |
| Claim 44, | lines 1-2 | change "any of claims 31 through 43" to --claim 31--. |

Please cancel claim 45.